

DANIEL W. MAGUIRE (SBN 120002)
E-mail: dmaguire@bwsllaw.com
KEIKO J. KOJIMA (SBN 206595)
E-mail: kkojima@bwsllaw.com
BURKE, WILLIAMS & SORESENSEN, LLP
444 South Flower Street, Suite 2400
Los Angeles, CA 90071-2953
Tel: (213) 236-0600 Fax: (213) 236-2700

Attorneys for Plaintiff
Sun Life Assurance Company of Canada, U.S.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

SUN LIFE ASSURANCE COMPANY
OF CANADA, U.S.,

Plaintiff,

v.

MARY CATHERINE CHIROLO, an
individual; et al.

Defendants.

CASE NO. CV 08-3465 WHA

**WAIVER OF SERVICE OF
SUMMONS OF DEFENDANTS
VICTORIA A. CHAVEZ AND
LINDA M. TORRES**

Plaintiff Sun Life Assurance Company of Canada, U.S. herein submits the
signed Waiver of Service of Summons of Defendants Victoria A. Chavez (attached
as Exhibit "A") and Linda M. Torres (attached as Exhibit "B").

DATED: August 28, 2008

BURKE, WILLIAMS & SORESENSEN, LLP
DANIEL W. MAGUIRE

By: /s/ Keiko J. Kojima

KEIKO J. KOJIMA
Attorneys for Plaintiff
Sun Life Assurance Company of Canada,
U.S.

PROOF OF SERVICE BY MAIL

I am a citizen of the United States and employed in Los Angeles County, California. I am over the age of eighteen years and not a party to the within-entitled action. My business address is 444 South Flower Street, Suite 2400, Los Angeles, California 90071-2953. I am readily familiar with this firm's practice for collection and processing of correspondence for mailing with the United States Postal Service. On August 28, 2008, I placed with this firm at the above address for deposit with the United States Postal Service a true and correct copy of the within document(s):

**WAIVER OF SERVICE OF SUMMONS OF VICTORIA A.
CHAVEZ AND LINDA M. TORRES**

in a sealed envelope, postage fully paid, addressed as follows:

SEE SERVICE LIST

Following ordinary business practices, the envelope was sealed and placed for collection and mailing on this date, and would, in the ordinary course of business, be deposited with the United States Postal Service on this date.

I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

Executed on August 28, 2008, at Los Angeles, California.

/s/ Agnes D. Tualla
Agnes D. Tualla

SERVICE LIST
Sun Life v. Chirolo, et al.
Case No. CV08-3465 WHA

Mary C. Chirolo
50085 Deer Meadow Way
Oakhurst, CA 93644-9009

Estate of Sean V. McShane
Attn: Mary C. Chirolo
50085 Deer Meadow Way
Oakhurst, CA 93644-9009

Denise E. McShane
2465 Mitchell Gulch Road
East Helena, MT 59635-9717

Victoria A. Chavez
3998 Amistad Drive
Las Cruces, NM 88005-3600

Nanci Severietti-Boyd
272 Pico Vista
Novato, CA 94947

Linda M. Torres
444 Anson Avenue
Rohnert Park, CA 94928-3376

Theodore V. Severietti
7971 West Donald Drive
Peoria, AZ 85383-2116

UNITED STATES DISTRICT COURT
for the
NORTHERN DISTRICT OF CALIFORNIA

SUN LIFE ASSURANCE COMPANY OF CANADA,
U.S.,

Plaintiff

v.

MARY CATHERINE CHIROLO, an individual; DENISE
ELIZABETH McSHANE, an individual;
NANCI ANN SEVERIETTI BOYD, an individual;
LINDA MARIE SEVERIETTI TORRES, an individual;
THEODORE VINCENT SEVERIETTI, an individual;
VICTORIA ANN TAYLOR CHAVEZ, an individual;
The ESTATE OF SEAN B. McSHANE, and DOES 1
through 10,

Defendant

Civil Action No.CV 08-3465 WHA

Waiver of the Service of Summons

To: Keiko J. Kojima

(Name of the plaintiff's attorney or unrepresented plaintiff)

I have received your request to waive service of a summons in this action along with a copy of the complaint, two copies of this waiver form, and a prepaid means of returning one signed copy of the form to you.

I, or the entity I represent, agree to save the expense of serving a summons and complaint in this case.

I understand that I, or the entity I represent, will keep all defenses or objections to the lawsuit, the court's jurisdiction, and the venue of the action, but that I waive any objections to the absence of a summons or of service.

I also understand that I, or the entity I represent, must file and serve an answer or a motion under Rule 12 within 60 days from August 8, 2008, the date when this request was sent (or 90 days if it was sent outside the United States). If I fail to do so, a default judgment will be entered against me or the entity I represent.

Date 8/18/08

Victoria A. Chavez
Signature of the attorney or unrepresented party

VICTORIA A. CHAVEZ

Printed name

3998 Amistad Drive, Las Cruces, NM 88005-3600

Address

E-mail address

575/647-4473

Telephone number

Duty to Avoid Unnecessary Expenses of Serving a Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain defendants to cooperate in saving unnecessary expenses of serving a summons and complaint. A defendant who is located in the United States and who fails to return a signed waiver of service requested by a plaintiff located in the United States will be required to pay the expenses of service, unless the defendant shows good cause for the failure.

"Good cause" does *not* include a belief that the lawsuit is groundless, or that it has been brought in an improper venue, or that the court has no jurisdiction over this matter or over the defendant or the defendant's property.

If the waiver is signed and returned, you can still make these and all other defenses and objections, but you cannot object to the absence of a summons or of service.

If you waive service, then you must, within the time specified on the waiver form, serve an answer or a motion under Rule 12 on the plaintiff and file a copy with the court. By signing and returning the waiver form, you are allowed more time to respond than if a summons had been served.

EXHIBIT A

UNITED STATES DISTRICT COURT

for the
NORTHERN DISTRICT OF CALIFORNIASUN LIFE ASSURANCE COMPANY OF CANADA,
U.S.,

Plaintiff

v.

Civil Action No. CV 08-3465 WHA

MARY CATHERINE CHIROLO, an individual; DENISE
ELIZABETH McSHANE, an individual;
NANCI ANN SEVERIETTI BOYD, an individual;
LINDA MARIE SEVERIETTI TORRES, an individual;
THEODORE VINCENT SEVERIETTI, an individual;
VICTORIA ANN TAYLOR CHAVEZ, an individual;
The ESTATE OF SEAN B. McSHANE, and DOES 1
through 10,

Defendant

Waiver of the Service of Summons

To: Keiko J. Kojima

(Name of the plaintiff's attorney or unrepresented plaintiff)

I have received your request to waive service of a summons in this action along with a copy of the complaint, two copies of this waiver form, and a prepaid means of returning one signed copy of the form to you.

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I understand that I, or the entity I represent, will keep all defenses or objections to the lawsuit, the court's jurisdiction, and the venue of the action, but that I waive any objections to the absence of a summons or of service.

I also understand that I, or the entity I represent, must file and serve an answer or a motion under Rule 12 within 60 days from August 8, 2008, the date when this request was sent (or 90 days if it was sent outside the United States). If I fail to do so, a default judgment will be entered against me or the entity I represent.

Date 8/17/08

Signature of the attorney or unrepresented party

LINDA M. TORRES

Printed name

444 Anson Avenue, Rohnert Park, CA 94928-3376

Address

LindaTorres@comcast.net

E-mail address

707 486-2123

Telephone number

Duty to Avoid Unnecessary Expenses of Serving a Summons

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"Good cause" does *not* include a belief that the lawsuit is groundless, or that it has been brought in an improper venue, or that the court has no jurisdiction over this matter or over the defendant or the defendant's property.

If the waiver is signed and returned, you can still make these and all other defenses and objections, but you cannot object to the absence of a summons or of service.

If you waive service, then you must, within the time specified on the waiver form, serve an answer or a motion under Rule 12 on the plaintiff and file a copy with the court. By signing and returning the waiver form, you are allowed more time to respond than if a summons had been served.

EXHIBIT B